



November 15, 2004

Defense Acquisition Regulations Council
Attn: Ms. Donna Hairston-Benford
OUSD (AT&L) DPAP (DAR)
IMD 3C132, 3062 Defense Pentagon
Washington DC 20301-3062

Dear Ms. Hairson-Benford:

The Aerospace industries Association appreciates the opportunity to provide comments on DFARS Case 2003-D109, Consolidation of Contract Requirements. While the interim rule amends the regulation to conform to Section 801 of the Defense Authorization Act for fiscal Year 2004, this rule does not differentiate between a conscious decision to combine two or more existing requirements into one, and the creation of a new, broader requirement that may encompass what may have previously been accomplished as individual requirements.

For example, if an activity had 10 contracts for individual components to support a weapon system, and then later, the Service determines that the most appropriate way to support the weapon system is to establish a new, broader performance based acquisition, this rule would make it very cumbersome to get the new requirement approved. The broader performance based acquisition would not necessarily be seen as a new requirement established on an entirely different support concept than the previous approach; rather, PCOs may be driven to see it as simply the consolidation of the 10 existing contracts, notwithstanding the fact that the broader requirement includes much more than the existing requirements. The rule should recognize these differences between these two very different acquisition scenarios and focus the new approval process on the conscious consolidation of existing requirements.

We recommend that Subpart 207.170-2 Definitions, be revised to read:

"Consolidation of contract requirements means the use of a solicitation to obtain offers for a single contract or a multiple award contract to satisfy two or more established individual requirements of a department, agency, or activity..."

If there are any questions, or if we can be of further assistance, please contact me at (703) 358-1045.

Thank you.

Sincerely,

A handwritten signature in black ink, reading 'Patrick D. Sullivan'.

Patrick D. Sullivan
Assistant Vice President
Procurement and Finance